



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

March 15, 1994

Mr. Larry W. Schenk
City Attorney
City of Longview
P.O. Box 1952
Longview, Texas 75606-1952

OR94-125

Dear Mr. Schenk:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 24144.

The City of Longview received a request for various personnel information regarding two employees of the city's engineering department. You indicate that the city has released most of the requested information. However, you contend that section 552.111 of the Government Code excepts some of the information from required public disclosure.

We conclude that section 552.111 does not except from disclosure the information you submitted for review. Section 552.111 excepts "an interagency or intraagency memorandum or letter that would not be available by law to a party in litigation with the agency." In Open Records Decision No. 615 (1993) (copy enclosed), this office reexamined the predecessor to section 552.111 in light of the decision in *Texas Department of Public Safety v. Gilbreath*, 842 S.W.2d 408 (Tex. App.--Austin 1992, no writ). We concluded that section 552.111 excepts only those internal communications consisting of advice, recommendations, opinions, and other material reflecting the policymaking processes of the governmental body. An agency's policymaking functions, however, do not encompass internal administrative or personnel matters. Open Records Decision No. 615 at 5-6. Because the information you submitted for review relates solely to personnel matters, you must release it in its entirety.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please contact our office.

Yours very truly,



Margaret A. Roll
Assistant Attorney General
Open Government Section

MAR/TCC/rho

Ref.: ID# 24144, ID# 24148, ID# 24239

Enclosures: Submitted documents
Open Records Decision No. 615 (1993)

cc: Ms. DeAnn Smith
City Government Reporter
Longview News-Journal
P.O. Box 1792
Longview, Texas 75606
(w/o enclosures)